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8 IN THE MUNICIPAL COURT OF SANTA MONICA JUDICIAL DISTRICT
9 COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
10

11 --000--

12 HON. REX H. MINTER, JUDGE

DIVISION I

13 THE PEOPLE OF THE STATE OF CALIFORNIA,)

NO. SA007943

14 PLAINTIFF,)

(FELONY)

15 VS.)

16 JAMES ALLEN BECK,)

17 DEFENDANT.)

FILED

OCT 04 1991

-JAMES H. DEMPSEY, CLERK

Rita Tucker

BY RITA TUCKER, DEPUTY

18
19 --000--

20 REPORTER'S TRANSCRIPT OF CERTIFIED PLEA

21 THURSDAY, SEPTEMBER 26, 1991

22 --000--

23 APPEARANCES:

24 FOR THE PEOPLE:

JEFFREY SEMOW

DEPUTY DISTRICT ATTORNEY

25 FOR THE DEFENDANT:

OMAR HAZEL

DEPUTY PUBLIC DEFENDER

27 P&S: 10-17-91
28 DEPT: WEST D

COLLEEN RILEY
OFFICIAL REPORTER

+2
10-17-91

1 September 26, 1991

2 --000--

3 THE COURT: Are you James A. Beck?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: All right. Let the record reflect we have
6 no shorthand reporter, so these proceedings are being
7 electronically recorded pursuant to 980.5 of the California
8 Rules of Court.

9 Would counsel give their appearances for the
10 record, please.

11 MR. HAZEL: Omar Hazel, Deputy Public Defender appearing
12 for Mr. Beck.

13 MR. SEMOW: Jeffrey Semow, Deputy District Attorney.

14 THE COURT: Would one of you state the disposition that
15 you've worked out.

16 MR. SEMOW: Your Honor, the Defendant is on felony
17 probation for 487.3 and -- and/or 496 to Judge Perez.
18 Although we have not gotten the okay from Judge Perez yet,
19 the DA in that court, Mr. Barshop, and I have agreed with
20 Mr. Hazel to the following disposition.

21 The Defendant to plead guilty in this case to
22 counts 2 and 3 with the understanding that he will serve no
23 immediate term in state prison. He's pleading to both of
24 those charges as felonies, however, he will be placed on
25 felony probation, not proceedings suspended but state prison
26 suspended. The suspended state prison sentence will be the
27 low term in state prison required by law for count 2 which
28 is four years.

1 The conditions of probation will be as follows.
2 Number one, the Defendant is to serve a full year in the
3 county jail with a waiver of any presentence credits that he
4 might otherwise be entitled to, and a waiver of the right to
5 county parole. So that he will serve as close to the full
6 year that the law permits.

7 As further --

8 THE COURT: What about the early-release program?

9 MR. SEMOW: No early-release program.

10 THE COURT: How are you going to control the sheriff on
11 that?

12 MR. SEMOW: I can't bind that but I'm asking the Court
13 as a condition of probation to recommend against that, and
14 the Defendant has agreed.

15 The Defendant will be required to make restitution
16 in the amount of \$2500.00 to the victim, Mr. Pick, and to
17 the other victim in this case who is actually listed as a
18 witness but is involved as a victim. The Defendant will
19 make -- that is Van Williams -- the Defendant will make
20 either restitution in the amount of \$4250.00 or will sign
21 over to Mr. Williams title to the car that was used in this
22 case by the Defendant. Specifically that is a --

23 THE DEFENDANT: Nineteen eighty-six Chevrolet Caprice.

24 MR. SEMOW: -- 1986 Chevrolet Caprice. As a further
25 condition of probation the Defendant will be ordered to stay
26 away and refrain from any type of contact whatsoever with
27 any of the victims and witnesses in this case. He will be
28 ordered to cooperate in a program of psychological or

1 psychiatric counseling. He will be ordered not to use or
2 possess any dangerous or deadly weapon nor to possess any
3 police equipment, uniform or paraphernalia nor in any way to
4 identify himself or impersonate a police officer. And, of
5 course, any other conditions of probation that the Superior
6 Court sees fit to impose.

7 THE COURT: Would he be prohibited from working in any
8 status as a security officer?

9 MR. SEMOW: I can't -- that should be a condition of
10 probation. I assume that he will agree to that as well.
11 Thank you for suggesting that, your Honor.

12 THE COURT: If those terms are acceptable to the
13 Defendant, you may take the waivers and plea.

14 MR. SEMOW: Thank you.

15 Is James Allen Beck your true name?

16 THE DEFENDANT: Yes, it is.

17 MR. SEMOW: Mr. Beck, you are charged in this
18 Information SA007943 with count 1, the felony of being an
19 ex-con, that is a convicted felon in possession of a firearm
20 or firearms. In count 2 with 120 -- excuse me -- 12280 of
21 the Penal Code, possession of an assault rifle, and in count
22 3 with receiving stolen property, a violation of Penal Code
23 Section 496, all three counts being felonies.

24 Your attorney has indicated that you wish to plead
25 guilty as charged in counts 2 and 3. Have you discussed
26 fully the facts underlying all three charges and any
27 possible defenses that you might have to them, and is this
28 what you wish to do?

1 THE DEFENDANT: Yes, it is.

2 MR. SEMOW: You understand, sir, that -- the terms and
3 conditions of the plea as I have explained them thus far,
4 and as Judge Minter has explained them?

5 THE DEFENDANT: Yes, I do.

6 MR. SEMOW: You understand that this means that if you
7 violate any of the terms or conditions of your probation,
8 that you will be sent to state prison automatically for four
9 years?

10 THE DEFENDANT: Yes.

11 MR. SEMOW: Do you understand also that although this
12 plea of guilty -- this case settlement involves the
13 disposition also of the case for which you are on probation
14 to Judge Perez, that is that you will receive no immediate
15 time, additional time in custody as a result of your
16 violation of -- let me start that over.

17 You understand that a plea of guilty here today is
18 an admission that you violated parole or probation in any
19 other case that you may be on parole or probation in.

20 THE DEFENDANT: Yes.

21 MR. SEMOW: And you understand that that entitles the
22 Judge to whom you're on probation, or in the case of a
23 parole violation, the California Department of Corrections
24 to revoke your parole or probation, and in addition to the
25 time you have coming to you in this case cause you to serve
26 whatever time you have coming to you in that case as well.
27 You understand that?

28 THE DEFENDANT: Yes, I do.

1 MR. SEMOW: You understand that although we will
2 recommend to Judge Perez that you serve no additional time
3 in custody as a result of being in violation of probation in
4 that case, that he has the right to refuse to go along with
5 that deal. You do understand that.

6 THE DEFENDANT: Yes.

7 MR. SEMOW: You understand that if he does, that the
8 People will -- then both sides have the right to withdraw
9 from this plea agreement and you will go back to square one
10 and either renegotiate another plea with the People that is
11 acceptable to Judge Perez, or the matter will be set for
12 trial.

13 THE DEFENDANT: Yes.

14 MR. SEMOW: And you agree to that.

15 THE DEFENDANT: Yes, I do.

16 MR. SEMOW: Now, if for any reason you are later
17 sentenced to state prison in this case, such as for a
18 violation of probation, after you serve your state prison
19 sentence which will be four years you'll be on parole for a
20 period of three or five years, again with rules and
21 conditions that you have to follow. If you violate any of
22 those rules or conditions your parole will be revoked,
23 you'll go back to prison for up to a year for each parole
24 violation and you can have your parole extended an
25 additional year because of that. Do you understand that?

26 THE DEFENDANT: Yes.

27 MR. SEMOW: You also --

28 THE COURT: May I ask you a question?

1 MR. SEMOW: Yes, your Honor?

2 THE COURT: What happens -- he's going to be sentenced
3 to state prison, suspended, and then will do the county
4 time. What if he violates his probation and he goes to
5 state prison? You've indicated that it was going to be a
6 waiver by him of any good time, work time. Does that apply
7 to his state prison sentence when he goes there, if and when
8 he does?

9 MR. SEMOW: No, your Honor. That is only a benefit that
10 he gives up in return for the leniency of the county jail
11 sentence.

12 THE COURT: It only applies to county jail and not to
13 state prison.

14 MR. SEMOW: Yes. The state prison sentence would
15 otherwise operate according to the law.

16 THE COURT: He would get all of his good time, work time
17 and presentence time credited on a state prison sentence.

18 MR. SEMOW: Yes.

19 THE COURT: All right. You may proceed.

20 MR. SEMOW: Now, if you are not a citizen of the United
21 States your plea of guilty here will result in your being
22 deported and not being allowed ever to re-enter this
23 country. Do you understand that?

24 THE DEFENDANT: Yes.

25 MR. SEMOW: You understand everything that I've said so
26 far.

27 THE DEFENDANT: Yes, I do.

28 MR. SEMOW: And you wish to go ahead with this

1 settlement of the case, is that correct?

2 THE DEFENDANT: Yes.

3 MR. SEMOW: Now, every defendant who pleads guilty in a
4 criminal case has certain constitutional rights that he's
5 automatically giving up thereby. I've got to advise you of
6 those rights and make sure that you understand them, and
7 that you give them up in order to plead guilty.

8 First of all, you have the right to a trial by
9 judge or jury to determine the issue of your guilt or
10 innocence. A jury trial, as you know, is one where 12
11 people are selected from the community by both sides. They
12 hear all the evidence, and all 12 people must agree that the
13 evidence presented by the Prosecution proves you guilty
14 beyond any reasonable doubt before you can be convicted of
15 any offense. By pleading guilty, of course, you do away
16 with the need for such a trial and you are giving up your
17 right to a trial by judge or jury. Do you understand and
18 give up that right so that you can plead guilty?

19 THE DEFENDANT: Yes.

20 MR. SEMOW: Counsel join?

21 MR. HAZEL: Yes.

22 MR. SEMOW: If you were to have a trial rather than plea
23 guilty you would have the right through your lawyer to
24 confront and cross examine the witnesses who testify against
25 you. By pleading guilty and doing away with the need for a
26 trial you are giving up that right. Do you understand and
27 give up that right so that you can plead guilty?

28 THE DEFENDANT: Yes, I do.

1 MR. SEMOW: Counsel join?

2 MR. HAZEL: Yes.

3 MR. SEMOW: You would also have the right, if you had a
4 trial, to call witnesses on your own behalf if there were
5 any, and to use the subpoena power of the Court to compel
6 them to be present if necessary. By pleading guilty an
7 doing away with the need for a trial you're giving up the
8 right to confront and cross examine witnesses as well. Do
9 you understand and give up that right also?

10 THE DEFENDANT: Yes.

11 MR. SEMOW: Counsel join?

12 MR. HAZEL: Yes.

13 MR. SEMOW: You have a right throughout these
14 proceedings against self-incrimination which means that no
15 one can force you to say anything for or against yourself.
16 That right stays with you through your trial if you have a
17 trial, meaning that if you decide to be silent and not
18 testify no one can use your silence as evidence of your
19 guilt. It is the obligation or burden of the Prosecution to
20 present evidence that proves you guilty beyond a reasonable
21 doubt.

22 By pleading guilty, of course, you're no longer
23 being silent and you're giving up your right against self-
24 incrimination. Do you understand and give up that right
25 also so that you can plead guilty?

26 THE DEFENDANT: Yes.

27 MR. SEMOW: Counsel join?

28 MR. HAZEL: Yes.

1 MR. SEMOW: You have a right also, Mr. Beck, to a
2 preliminary hearing. That's what you're here for today. At
3 a preliminary hearing the People present evidence, your
4 attorney cross examines the witnesses called by the People,
5 calls you or your witnesses if you and he see fit, and the
6 Judge makes a determination as to whether or not there is
7 probable cause or strong suspicion to believe that you're
8 guilty of the offense as charged. If there is such a strong
9 suspicion, he holds you to answer to the Superior Court for
10 trial. If not, the case stops here and you go home.

11 When you plead guilty, of course, you are giving up
12 your right to a preliminary hearing as well. Do you
13 understand and give up that right so that you can plead
14 guilty?

15 THE DEFENDANT: Yes, I do.

16 MR. SEMOW: Counsel join?

17 MR. HAZEL: Yes.

18 MR. SEMOW: Have any promises been made against you or
19 -- excuse me -- have any promises been made to you other
20 than those stated here in open court on the record, or any
21 threats been made against you in order to get you to plead
22 guilty?

23 THE DEFENDANT: No.

24 MR. SEMOW: You're doing this then, sir, freely and
25 voluntarily and because in truth and in fact you are guilty,
26 is that right?

27 THE DEFENDANT: Yes.

28 MR. SEMOW: That means, Mr. Beck, that you did knowingly

1 have in your possession a working assault rifle, that is a
2 .223 Caliber Colt AR-15 on September 12, 1991. And also
3 that you knowingly possessed and sold the radio equipment,
4 that is the repeaters owned by Harold Pick knowing that they
5 had been stolen from him.

6 THE COURT: Would you state or spell the name of that
7 person.

8 MR. SEMOW: That's Harold, H-A-R-O-L-D, Pick, P-I-C-K.
9 Thank you, your Honor.

10 Is that, in fact, what you did, Mr. Beck?

11 THE DEFENDANT: Yes, it is.

12 MR. SEMOW: Counsel agree that there is a factual basis
13 for the plea?

14 MR. HAZEL: Yes.

15 MR. SEMOW: May I take the plea, your Honor?

16 THE COURT: You may.

17 MR. SEMOW: How then do you plead to count 2 of the
18 Information, violation of Penal Code Section 12280(a)(1), a
19 felony, that is possession of an assault rifle, Mr. Beck,
20 guilty or not guilty?

21 THE DEFENDANT: Guilty.

22 MR. SEMOW: And how do you plead to count 3, a felony,
23 receiving stolen property in violation of Penal Code Section
24 496(1), guilty or not guilty?

25 THE DEFENDANT: Guilty.

26 MR. SEMOW: Counsel join in the pleas?

27 MR. HAZEL: Yes.

28 THE COURT: Did you stipulate to a factual basis?

1 MR. SEMOW: He did.

2 THE COURT: The Court accept the pleas and the waivers
3 and finds that they were voluntarily made, and made with
4 knowledge and understanding and that there is a factual
5 basis for the charges and the pleas.

6 The Defendant having entered his pleas, they'll be
7 certified to the Superior Court. And the Probation
8 Department is directed to conduct an investigation and
9 render its report to the Superior Court no later than the
10 17th day of October, at 8:30 a.m. And you want this to go
11 to Judge Perez's court, don't you?

12 MR. SEMOW: It might as well.

13 THE COURT: That's B, is it not?

14 MR. SEMOW: Ultimately he is going to be the deciding
15 factor as to whether or not this --

16 THE COURT: Is it C or B?

17 MR. HAZEL: It's B.

18 THE COURT: B. Do you work in that court sometimes?

19 MR. HAZEL: D.

20 THE COURT: Where do you want me to send it?

21 MR. HAZEL: Well, it doesn't make any difference to me.
22 The probation --

23 MR. SEMOW: It should go to C, your Honor, because Mr.
24 -- because ultimately, it is going to go to Judge Perez for
25 the probation violation and Mr. Barshop is a party -- who is
26 the DA in there -- is a party to this plea agreement.

27 MR. HAZEL: I can tell you this; the probation violation
28 is already set for October the 8th. So that issue will

1 already be decided by the time this gets to Superior Court.

2 MR. SEMOW: I think this should probably be sent to
3 Superior Court for arraignment on that date, or for
4 sentencing on that date.

5 THE COURT: It's a question of where to put it. His
6 court is D, that's where I'd normally put it.

7 MR. SEMOW: Hey, whatever everybody wants --

8 THE COURT: We'll put it in D and let them transfer it
9 around if they want. West D which is located in this
10 building. Further proceedings will take place in Superior
11 Court on that date and at that time.

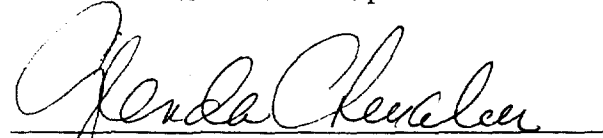
12 Defendant's remanded until he posts \$17,500.00
13 bail.

14 (Proceedings in the above-entitled matter
15 were concluded.)
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DECLARATION OF TRANSCRIBER

I, Glenda Chevalier, a duly designated transcriber, do hereby declare and certify under penalty of perjury that I have transcribed the portion of Tape 3, which was duly recorded in the Municipal Court of Santa Monica Judicial District, Division I, County of Los Angeles, State of California, in the matter of The People of the State of California vs. James A. Beck, on the 26th day of September, 1991, and that the foregoing pages constitute a complete and accurate transcription of the aforementioned tape.


Transcriber

Dated this 3rd day of October, 1991

1 IN THE MUNICIPAL COURT OF SANTA MONICA JUDICIAL DISTRICT
2 COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

3 HON. REX H. MINTER, DIVISION NO. I

4 THE PEOPLE OF THE STATE OF CALIFORNIA,)

5 Plaintiff,)

No. SA007943

6 vs.)

7)
8 James A. Beck)

9 Defendant.)
10

11 I HEREBY CERTIFY that on the 26 day of September
12 1991, no official or temporary Shorthand Reporter was
13 available to report the testimony and proceedings conducted
14 before Division I of the above-entitled Court, therefore,
15 pursuant to Rule 980.5 of the California Rules of
16 Court Colleen Riley was assigned to
17 electronically record the testimony and proceedings contained
18 herein and he/she did act as monitor and did electronically
19 record said testimony and proceedings according to the
20 directives contained in said Rule of Court and he/she was
21 further directed by me to reduce said recording to a printed
22 record.

23 Dated: 9/26/91

Rex H. Minter

24 Judge

25
26 DECLARATION OF REPORTER/MONITOR

27 I, Colleen Riley, the undersigned, do
28 hereby declare that on 9/26/91, I was

1 designated by the Court as Monitor to electronically record the
2 testimony and proceedings herein. The nature of the
3 proceedings and the case number was recorded on each reel and
4 the daily log incorporated herein by reference. The recording
5 equipment was functioning normally, and all of the proceedings
6 in open court were recorded, except for such matters as were
7 expressly directed to be "off the record", or as otherwise
8 specified.

9 I declare that the foregoing is a true and correct
10 transcription of the tape recording of said proceedings which
11 is a full, true and correct statement of said testimony and
12 proceedings.

13 I DECLARE UNDER PENALTY OF PERJURY AT SANTA MONICA,
14 CALIFORNIA, THAT THE FOREGOING IS TRUE AND CORRECT.

15
16 DATE: 9/26/91 Allen Riley
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EXHIBIT HP-8



BARRY J. NIDORF
Chief Probation Officer

COUNTY OF LOS ANGELES

PROBATION DEPARTMENT

OCT 16 1991

PLEASE CONTACT ME IMMEDIATELY
SO I MAY OBTAIN YOUR STATEMENT
REGARDING THIS CASE.

Mr. Harold Pick
CCS Inc
P.O. Box 3032
Santa Monica, CA 90402

NOTICE OF SENTENCING HEARING

(THIS IS NOT A SUBPOENA)

Offense(s) Committed by: James Allen Beck
Offense(s): 1201 (A) PC
Date: 6-21-91 • SA007743

Dear

☐ The above-named defendant has been found guilty of a crime in which you have been mentioned as a victim, or you are the next of kin of the mentioned victim.

☐ The above-named defendant has not been found guilty of a crime in which you have been mentioned as a victim, or you are the next of kin of the mentioned victim, but a pre-trial hearing is scheduled as noted below.

Pursuant to Section 1191.1 of the California Penal Code, you are hereby notified of a hearing on the sentencing of the above-named defendant to be held on:

Date: October 17 19 91

Time: 9:00 O'Clock A.M.

Location: LOS ANGELES SUPERIOR COURT BUILDING
1725 MAIN STREET SANTA, SANTA MONICA, CA. 90401

☐ Division _____ ☒ Department WEST

If any of your property was used as evidence in this case, you may be entitled to have it returned to you. Please contact the County Clerk Criminal Division Exhibit Section at (213) 974-5268 between 8:00 a.m. and 4:30 p.m. for information. Unclaimed property is disposed of sixty days after sentence is imposed and your claim must be presented before that time.

You do not have to appear in Court but you should know that you have a right to attend such hearing and personally express your views or you may retain counsel and have counsel attend to express your views.

Very truly yours,

BARRY J. NIDORF
Chief Probation Officer

Ms. Traylor
Deputy Probation Officer

458-5329
Telephone Number

cc. - Information on Crime Victims'
Compensation

Q Where may you go for assistance?

A • Most counties have a local victim center that will help you apply for compensation from the State Board of Control. Look in the county government listings in your phone book under "Victim-Witness Assistance," "Victim Services," "District Attorney's Office," or "Probation Department."

• Or you may call 1-800-VICTIMS, toll free, for referral to the nearest victim center.

• You also may obtain a brochure on victims' compensation from the State Board of Control, Victims of Crime Program, P.O. Box 3036, Sacramento, California 95802-3036.

Q May you also bring a civil lawsuit for your losses and expenses?

A You may be able to sue the person who committed the crime. If that person is a minor, you may also be able to sue his or her parents. A victim may be paid for an injury, death or property loss if the lawsuit is filed in time. The law gives victims special procedural rights in such cases. You may wish to speak to an attorney. If you do not know an attorney, you may call an attorney referral service or a legal aid office (listed in the yellow pages under "Attorneys").

This pamphlet summarizes the compensation available to some victims of crime from the State Restitution Fund and from a civil lawsuit, as of January 1, 1988. Both the law and the amounts of compensation may change. For the most current information on **your** rights to compensation, plus facts on other important victims' rights, contact:

INFORMATION
ON

CRIME VICTIMS' COMPENSATION



Prepared by the
JUDICIAL COUNCIL OF CALIFORNIA
Chief Justice Malcolm M. Lucas
Chairperson

[Rev. January 1, 1988]

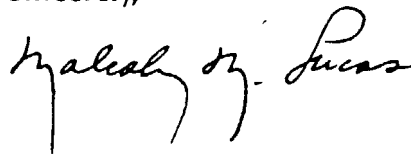
Dear fellow citizens:

Under California law, some victims of crime may qualify for compensation for certain losses resulting from criminal acts.

This pamphlet was prepared by the Judicial Council to give important information about two kinds of compensation: payment from the State Restitution Fund and damages from a civil lawsuit.

As Chairperson of the Judicial Council, I hope that you find this pamphlet helpful and that you will contact a victim assistance office for further information.

Sincerely,



Malcolm M. Lucas
Chief Justice of California

Q 1 What is the State Restitution Fund?

A The Restitution Fund is part of the State Victim Compensation Program (California Government Code sections 13959-13969.1). The fund comes entirely from fines imposed by the courts for criminal acts and helps pay for certain losses caused by crime. The fund is run by the State Board of Control.

Q 2 Which crimes are covered?

A A crime is covered if a victim is killed or suffers a physical or emotional injury.

Q 3 Who may apply for compensation from the Restitution Fund?

A A victim of crime may apply if the crime occurs in California or if the victim is a California resident and the crime occurs outside of California. "Victim" includes:

- a person who is injured or threatened with physical injury;
- anyone who is legally dependent for support on the victim;
- anyone who is present during a crime and has a close relationship with the victim;
- anyone who pays the medical or burial expenses of a deceased victim;
- anyone who must receive treatment or be present during the treatment of the victim and has a close relationship with the victim; and
- any family member, when a victim is killed or injured and that family member suffers emotional injury as a result of the crime. This last coverage is limited to medical expenses or mental health counseling expenses.

Q 4 What losses and expenses may be paid by the Restitution Fund?

A The Restitution Fund may pay you for medical-related expenses, loss of income or support, funeral and burial expenses (limited to \$2,800), and job retraining up to a total of \$46,000, unless you are paid for these losses from insurance, sick leave, or other sources. In addition, the fund may pay an attorney up to \$500 for helping you file a claim.

Q 5 What is not covered?

- A**
- The fund does not pay for injuries from a motor vehicle, aircraft or water vehicle, unless the crime is driving under the influence of alcohol or drugs, hit and run driving, using the vehicle as a weapon, or fleeing from the scene of a violent crime.
 - The fund does not pay for loss of or damage to any kind of property, except for eyeglasses, hearing aids, and dentures or prosthetic devices.

Q 6 What are you required to do?

- A**
- You must apply within one year after the date of the crime.
 - You must give written proof of losses and expenses, which may include medical and funeral bills and income tax statements.
 - If you are claiming income or support loss, you must show a loss of more than \$100 or more than one-fifth of your net monthly income, whichever is less, unless you are on a fixed income from retirement or disability.
 - You must cooperate fully with law enforcement agencies.
 - You must not have taken part in the crime.

EXHIBIT JAK-1

Federal Communications Commission

1270 Fairfield Road
Gettysburg, PA 17325-7245

JAN 31 1994

In Reply Refer To:
Compliance File No. 94G001

VIA REGULAR MAIL & CERTIFIED MAIL -
RETURN RECEIPT REQUESTED

James A. Kay, Jr.
P.O. Box 7890
Van Nuys, CA 91409

Dear Mr. Kay:

The Commission has received complaints questioning the construction and operational status of a number of your licensed facilities. Specifically, the complaints allege that numerous facilities licensed to you are on U.S. Forest Service land, but do not have the requisite permits for such use. The presumption is that those facilities were not constructed and made operational as required by the Commission's rules and therefore, the licenses have canceled. In addition, the Commission has also received complaints questioning the actual loading and use of your facilities. The complaints allege that the licensed loading of the facilities does not realistically represent the actual loading of the facilities, thereby resulting in the warehousing of spectrum.

Based upon these allegations, we need more information to determine whether you are qualified to be a Commission licensee. We are authorized to request this information pursuant to the Communications Act of 1934, as amended, 47 U.S.C. Section 308(b). Failure to respond timely, completely, and truthfully could result in initiation of revocation proceedings against your licenses.

(1) List alphabetically the call signs and licensee names of all facilities owned or operated by you or by any companies under which you do business. Annotate those facilities which are located on U.S. Forest Service land.

(2) Provide for each call sign listed in (1), the original date of grant of the call sign, the date the licensed station was constructed and placed in operation, and the type of facility.

(3) Provide a copy of the U.S. Forest Service permit for those facilities constructed and made operational on U.S. Forest Service lands in order of the list of call signs in (1). The permit should clearly indicate when such use was authorized.

(4) For those facilities which are authorized on U.S. Forest Service lands, but for which you do not hold a permit, please explain the reason why a permit has not been obtained.

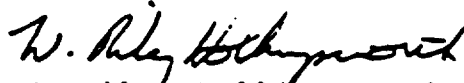
(5) For each station shown in (1) include a user list. The list must include the user name, business address and phone number, and a contact person, along with the number of mobile units and for trunked systems, the number of control stations, operated by the user. Users operating on multiple systems under (1) above should be annotated to identify all such systems and should be appropriately cross indexed.

(6) For each station in (1), please list the total number of units operated on each station. Such demonstration of use must be substantiated by business records.

Please send your reply to: Federal Communications Commission,
1270 Fairfield Road, Gettysburg, PA 17325-7245, Attention:
Compliance - Room 41.

You are requested to furnish this information within 60 days of the date of this letter. Your attention is directed to Title 18, U.S.C. Section 1001, in which Congress has determined that a wilful false reply to a letter of this type may result in fine or imprisonment.

Sincerely,



W. Riley Hollingsworth
Deputy Chief, Licensing Division

amw/kayl2/rah

EXHIBIT JAK-2

FEDERAL COMMUNICATIONS COMMISSION
Gettysburg, PA 17326
October 2, 1992

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

American Eagle Productions
1733 S. Douglas Road #6
Anaheim, CA 92806

Re: Call Sign WIG988

Dear Licensee:

The Commission has been informed that the above-captioned radio system may no longer be in operation. Our Rules require the licensee of a station which has permanently discontinued operation to forward the license to the Commission for cancellation. 47 CFR Sec. 90.157. Any station which has not operated for more than one year is considered to have been permanently discontinued.

Please inform us within 30 days of the date of this letter as to whether you have permanently discontinued operation. We are authorized to request this information pursuant to the Communications Act of 1934, as amended, 47 U.S.C. Sec. 308(b). If your system has ceased operation, please forward the station license to our office. Alternatively, you may notify the Commission by checking the appropriate box on FCC Form 405-A that your station has discontinued operation and that you request license cancellation. If, however, you are using these facilities, please provide the dates that your facilities were constructed and operational. Licensees whose licenses are due for renewal and who have received an FCC Form 574-R in the mail may use the appropriate box on that Form to notify the Commission that station operation has discontinued and that the license should be cancelled.

When responding to this office, please verify that the above-listed mailing address for your system is correct. If we do not hear from you within 30 days, your license will be cancelled without any other correspondence generated by this office. Please send your reply to: Federal Communications Commission, Gettysburg, Pa. 17326, Attention: Compliance - Room 41. If you have any questions, you may telephone our legal staff at (717) 337-1311, extension 132 or 133.

Sincerely,

W. Riley Hollingsworth
W. Riley Hollingsworth
Deputy Chief, Licensing Division

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